

2876 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants : Constantine Tsikos et al.
Serial No. : 10/059,051
Filed : February 28, 2002
Title of Invention : PLANAR LASER ILLUMINATION MODULES (PLIMS)
EMPLOYED IN A PLANAR LASER ILLUMINATION AND
IMAGING (PLIIM) SYSTEM
Examiner : Thien Le
Group Art Unit : 2876
Attorney Docket : 108-087USANA0

RECEIVED

FEB 24 2004

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

TERMINAL DISCLAIMER (37 CFR 1.321(c))

SIR:

02/19/2004 MBERHE 00000023 161340 10059051
01 FC:1814 110.00 DA

Your Petitioner, Metrologic Instruments, Inc., represents that it is the sole owner of the entire interest of the above-identified application.

Your Petitioner hereby provisionally disclaims the terminal period of any patent issuing on the above-referenced application that would extend beyond the expiration of the full statutory term of any patent that issues from copending U.S. Application No. 10/146,652. Your Petitioner also hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent is the same as the legal title to U.S. Application No. 10/146,652, and that this agreement shall run with any patent so granted on the above-referenced application, and shall be binding upon the grantor, its successors, and assigns.

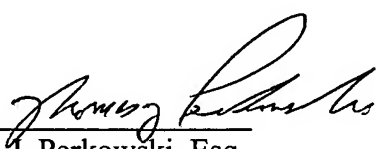
Your Petitioner does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of said U.S. Patent derived from U.S. Application No. 10/146,652 in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F. R. Section 1.321(a); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its full statutory term, except for a separation of legal title as stated above.

02/19/2004 MBERHE 00000022 161340 10059051
01 FC:1814 110.00 DA

This Terminal Disclaimer is being signed under the provisions of 37 C. F. R. Section 1.321(b)(1)(iv). The Commissioner is hereby authorized to charge the requisite Terminal Disclaimer fee of \$110.00, as well as any fee deficiencies to Deposit Account 16-1340. A copy of this document is enclosed herewith.

Respectively submitted,

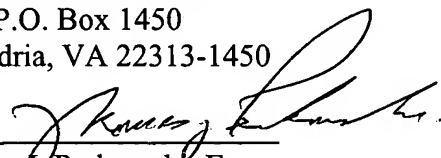
Dated: February 9, 2004


Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicants
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

CERTIFICATE OF FIRST CLASS MAIL
UNDER 37 CFR 1.8

I hereby certify that this correspondence
is being deposited with the United States
Postal Service on February 9, 2004 as
postage prepaid First Class U.S. Mail
addressed to

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Thomas J. Perkowski, Esq.
Reg. No. 33,134
Dated: February 9, 2004